Anwar et al v. Fairfield Greenwich Limited et al Doc. 53

UNITED STATES DISTRICT COURT

Southern District of New York

Inter-American Trust, et al.

V.

Fairfield Greenwich Group, et al.

SUMMONS IN A CIVIL ACTION

09 CV 00301

CASE NUMBER:

TO: (Name and address of Defendant)

Walter M. Noel, Jr.
175 Round Hill Road
Greenwich, CT 06831-3724

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

David Boies
Boies, Schiller & Flexner LLP
333 Main Street
Armonk, NY 10504

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

JAN 12 2009

DATE

Catherine Lapsley

(By) DEPUTY CLERK

Dockets.Justia.com

RETURN OF SERVICE

Service of the Summons and complaint was made by me[1]	DATE
NAME OF SERVER *(PRINT)*	TITLE

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served:

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left:

☐ Returned unexecuted:

☐ Other (specify):

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL $0.00

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on ______________________ ______________________________________
Date *Signature of Server*

____
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

Blumbergs LawProducts B 151— Affidavit of Service of Summons or Subpoena: Personal or Alternative Methods: Corp. or Ind.: Military Service, 10 pt. type, 1-95

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COURT UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
COUNTY OF

INTER-AMERICAN TRUST, ET AL.,

Plaintiff(s)

against

FAIRFIELD GREENWICH GROUP, ET AL.,

Defendant(s)

Index No. 09 CIV 00301

AFFIDAVIT OF SERVICE OF SUMMONS (AND COMPLAINT)

IN A CIVIL ACTION, CIVIL COVER SHEET

STATE OF NEW YORK, COUNTY OF NEW YORK SS: The undersigned, being duly sworn, deposes and says; deponent is not a party herein, is over 18 years of age and resides at RYE BROOK, NEW YORK
That on 1/14/09 at 6:50 P M., at 175 ROUND HILL ROAD, GREENWICH, CONNECTICUT
deponent served the within summons, *and complaint on* IN A CIVIL ACTION, CIVIL COVER SHEET WALTER M. NOEL, JR. defendant therein named,

INDIVIDUAL 1. ☒ by delivering a true copy *of each* to said defendant personally; deponent knew the person so served to be the person described as said defendant therein.

CORPORATION 2. ☐ a corporation, by delivering thereat a true copy *of each* to personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and knew said individual to be thereof.

SUITABLE AGE PERSON 3. ☐ by delivering thereat a true copy *of each* to a person of suitable age and discretion. Said premises is defendant's—actual place of business—dwelling place—usual place of abode—within the state.

AFFIXING TO DOOR, ETC. 4. ☐ by affixing a true copy *of each* to the door of said premises, which is defendant's—actual place of business—dwelling place—usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion thereat, having called there

MAILING TO RESIDENCE USE WITH 3 OR 4 5A. ☐ Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to defendant at defendant's last known residence, at and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.

MAILING TO BUSINESS USE WITH 3 OR 4 5B. ☐ Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly addressed to defendant at defendant's actual place of business, at in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant.

DESCRIPTION USE WITH 1, 2, OR 3 ☒

☒ Male	☒ White Skin	☐ Black Hair	☐ White Hair	☐ 14-20 Yrs.	☐ Under 5'	☐ Under 100 Lbs.
☐ Female	☐ Black Skin	☐ Brown Hair	☐ Balding	☐ 21-35 Yrs.	☐ 5'0"-5'3"	☐ 100-130 Lbs.
	☐ Yellow Skin	☐ Blonde Hair	☐ Mustache	☐ 36-50 Yrs.	☐ 5'4"-5'8"	☐ 131-160 Lbs.
	☐ Brown Skin	☒ Gray Hair	☐ Beard	☐ 51-65 Yrs.	☒ 5'9"-6'0"	☒ 161-200 Lbs.
	☐ Red Skin	☐ Red Hair	☐ Glasses	☒ Over 65 Yrs.	☐ Over 6'	☐ Over 200 Lbs.

Other identifying features:

USE IN NYC CIVIL CT. ☐ The words "CONSUMER CREDIT TRANSACTION" were prominently displayed at the top of the summons(es) and the additional legend was printed in not less than 12 point bold upper case type on the summons(es) pursuant to 22 NYCRR §208.6(d) and (f).

MILITARY SERVICE ☒ I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. Recipient *wore ordinary civilian clothes and no military uniform.* The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Sworn to before me on
1/16/09

HE YI WENG
Notary Public, State of New York
No. 01WE6178606
Qualified in Kings County
Commission Expires Dec. 03, 2011

PRINT NAME BENEATH SIGNATURE
JOHN DICANIO
License No. 775208

INSTRUCTIONS: Check appropriate boxes and fill in blanks. Delete inappropriate italicized language and military service allegation if not applicable.